

### **REMARKS**

In response to the final Office Action of May 23, 2011 and the Advisory Action of August 10, 2011, independent claims 1, 19, and 22 have been amended in a manner which is believed to particularly point out and distinctly claim the invention.

In particular, the independent claims have been amended to clarify that the input key comprises a cylindrical disc and that the cylindrical disc is aligned with raised domes so that the input key is actuatable in an axis perpendicular to the plane of a substantially planar body. Support for this amendment is found in the original application as filed, including page 6, lines 23-24 which discloses that the rotary disc is cylindrical and page 7, lines 19-20 which discloses that the rotary disc is coaxially aligned with corresponding raised domes. No new matter is added.

### **Summary of Embodiments of the Invention**

Embodiments of the invention relate to an apparatus comprising a planar body and an input key. The input key comprises a cylindrical disc and is attachable to the planar body. The cylindrical disc is aligned with raised domes so that the input key is actuatable in an axis perpendicular to the plane of the substantially planar body. The input key is also arranged such that the input key is configured to provide user input by relative movement along confronting surfaces of the body and the input key. The relative movement is rotation about an axis which is perpendicular to an operating face of the planar body. The apparatus is a key arrangement configured for a hand portable electronic device as defined by independent claim 1.

Embodiments of the invention as defined by independent claim 19 relate to a corresponding method. Embodiments of the invention as defined by independent claim 22 relate to a similar apparatus.

**Claim Rejections – 35 USC §102(e)**

At pages 2-4 of the final Office Action, claims 1-3, 7-13, 15-17, and 19-23 are rejected under 35 USC §102(e) as anticipated by or, under 35 USC §103(a) as obvious over Noguchi et al (US patent 6,903,652) (hereinafter Noguchi).

With respect to claim 1, the Office asserts that the claimed apparatus is shown in Noguchi by items 53, 55, and 56a. Furthermore, in the Advisory Action of August 10, 2011 in response to applicants' Request for Reconsideration filed on July 25, 2011 states that the arguments presented in the Request for Reconsideration are not persuasive and thus the arguments in the final Office Action are effectively maintained.

Noguchi relates to an input apparatus for vehicle installed instruments. The input apparatus comprises, among other keys, a jog dial 55 which may be rotated by the user and a joystick 56 which is located at the center of the jog dial 55.

The Office appears to consider that item 53 of Noguchi anticipates the feature of a planar body and that the rotary jog dial 55 and the joystick 56a as disclosed in the Figures of Noguchi anticipate the feature of the input key (see Figures 18 of Noguchi).

As previously argued, the applicants still respectfully submit that the analysis by the Office is incorrect. Firstly, claim 1 requires that the input key is actuable both in an axis perpendicular to the substantially planar body and also by rotational motion about an axis that is perpendicular to an operating face of the planar body. In Noguchi, the rotary jog dial 55 and the joystick 56 are separate input devices and not part of the same input key. Therefore these input devices do not anticipate the feature of the input key of the embodiments of the present invention.

Furthermore, the applicants have now clarified claim 1 to clearly recite that the input key comprises a cylindrical disc which is aligned with raised domes so that the input key is actuable in an axis perpendicular to the plane of the substantially planar body. There is no hint or suggestion of a similar cylindrical disc or input key in Noguchi.

It is clear from the figures of Noguchi that the rotary jog dial is not cylindrical. This can clearly be seen in Figure 18. It would not be obvious to replace the rotary jog

dial of Noguchi with a cylinder since in Noguchi it is necessary for the rotary jog dial to have a hollow center so that the joystick can be positioned in the center of the rotary jog dial. Therefore it would be disadvantageous to replace the rotary jog dial 55 of Noguchi with a cylindrical disc as is required by claim 1.

Furthermore there is nothing in Noguchi which is equivalent to the raised domes with which the cylindrical disc is aligned. There is no hint or suggestion of such a feature in Noguchi. There would be no reason for a person of ordinary skill in the art to consider implementing such a feature into Noguchi as this would require a significant modification in the way that Noguchi's device operates. There would be no motivation to do this other than by hindsight knowledge of the embodiments of the invention.

In view of the foregoing arguments, it is therefore respectfully submitted that claim 1 as amended is neither anticipated nor suggested by Noguchi.

Furthermore, independent claims 19 and 22 are also neither anticipated nor suggested by Noguchi since each of these independent claims has been amended in a manner similar to claim 1 and recite features corresponding to those argued above with respect to claim 1.

Since each of the independent claims of the present application are believed to be allowable, it is respectfully submitted that dependent claims 2-3, 7-13, 15-17, 20, 21, and 23 are also allowable at least in view of their ultimate dependency from an independent claim which is believed to be allowable.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance and such action is earnestly solicited.

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The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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